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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

In re: Kia Engine Litigation

CASE NO. 8:17-cv-00838

**JOINT STIPULATION TO
PROPOSED BRIEFING
SCHEDULE**

The Hon. Josephine L. Staton

Trial Date: None Set

1 WHEREAS, plaintiffs Christopher Stanczak, Rose Creps, Cara Centko, and
2 Jenn Lazar (“In re: Kia Plaintiffs”) filed a Second Consolidated Class Action
3 Complaint on February 2, 2018 against Kia Motors America, Inc. (“Kia”), alleging
4 that certain vehicles with a so-called “Theta II” engine are prone to failure;

5 WHEREAS, on February 14, 2018, the parties filed a joint stipulation
6 agreeing to stay Kia’s response pending resolution of a motion to transfer *Brogan v.*
7 *Hyundai Motors America*, 7:18-cv-00525 (S.D.N.Y.) (“*Brogan*”) to this Court (Dkt.
8 63);

9 WHEREAS, on April 9, 2018, the *Brogan* Court ordered the transfer of the
10 *Brogan* action to the Central District of California. The *Brogan* action was docketed
11 in the Central District of California on April 16, 2018 and transferred to this Court
12 on April 20, 2017;

13 WHEREAS, on April 30, 2018, the parties filed a joint stipulation agreeing to
14 jointly file a proposed schedule for the filing of a consolidated complaint (or
15 separate consolidated complaints against Hyundai and Kia) and a date for
16 defendants’ response to the complaint(s) after two issues were resolved: (a) the
17 transfer of *Smolek v. Hyundai Motor America et al.*, 1:18-cv-02716 (N.D. Ill.)
18 (“*Smolek*”) to this Court and (b) a ruling on the Motion for Appointment of Interim
19 Class Counsel (Dkt. 71.);

20 WHEREAS, on June 5, 2018, the *Smolek* Court ordered the transfer of the
21 *Smolek* action to the Central District of California. The *Smolek* action was docketed
22 in the Central District of California on June 14, 2018 and transferred to this Court on
23 June 21, 2018;

24 WHEREAS, on June 15, 2018, the Court granted plaintiff’s Motion for
25 Appointment of Interim Class Counsel (Dkt. 80);

26 WHEREAS, all actions against Hyundai and Kia entities relating to the same
27 engine design are now before this Court in the putative class actions entitled *Coats*
28 *v. Hyundai Motor Company, Ltd.*, 8:17-cv-02208 (C.D. Cal.) (“*Coats*”), *Brogan v.*

1 *Hyundai Motors America*, 8:18-cv-00622 (C.D. Cal.), and *Smolek v. Hyundai Motor*
2 *America et al.*, 2:18-cv-05255-JLS-JDE (C.D. Cal.).

3 WHEREAS, the parties have conferred and agree that plaintiffs from all four
4 actions will file a consolidated complaint or separate consolidated complaints
5 against Hyundai and Kia by July 31, 2018;

6 WHEREAS, the parties have agreed that defendants will file an answer or a
7 motion to dismiss the amended complaint by September 4, 2018;

8 WHEREAS, if defendants file a motion to dismiss, the parties have agreed to
9 a response date of October 9, 2018 for plaintiffs and a reply date of October 30,
10 2018 for defendants;

11 IT IS HEREBY AGREED AND STIPULATED that:

12 1. Plaintiffs shall have until **July 31, 2018** to file a consolidated complaint
13 or consolidated complaints against Hyundai and Kia;

14 2. Defendants' response to the consolidated complaint(s) shall be due on
15 **September 4, 2018**; and

16 3. If defendants file a motion to dismiss, plaintiffs' will respond to the
17 motion by **October 9, 2018**, and defendants will reply by **October 30, 2018**.

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20 DATED: June 25, 2018

QUINN EMANUEL URQUHART &
21 SULLIVAN, LLP

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By /s/ Shon Morgan

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Shon Morgan

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Attorneys for Kia Motors America, Inc.

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1 DATED: June 25, 2018

SAUDER SCHELKOPF LLC

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By */s/ Matthew Schelkopf*
Matthew Schelkopf
Attorneys for Plaintiffs

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ECF ATTESTATION

I, Shon Morgan, attest that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the e-filing of the foregoing document in compliance with Local Rule 5-4.3.3(a)(2).

By */s/ Shon Morgan*
Shon Morgan